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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,700

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Michael Rosenbauer

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BSH HOME APPLIANCES CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
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EXAMINER

WALDBAUM, SAMUEL A

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

03/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/583,700	Applicant(s) ROSENBAUER ET AL.	
	Examiner SAMUEL A. WALDBAUM	Art Unit 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-16, 18-20 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-16, 18-20 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In the reply filed December 29, 2008 the applicant has amended claims 13, 14, 16 and 19, cancelled claim 17 and 21. The previous rejection is hereby withdrawn in favor of the new rejection found below.

Claim Rejections - 35 USC § 112

2. Claims 22-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 22 is indefinite. Claim 22 depends from a claim that was cancelled, thus the claim is indefinite. This claim will be interpreted that it will depend off the independent claim 13.

4. Claims 23 and 24 are rejected as indefinite since they depend off claim 22.

35 USC 112 6th paragraph

5. The applicant has invoked the means for clause of 35 USC 112 6th paragraph in claim 24. The structure for this claims is found paragraph 25.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 13-16 rejected under 35 U.S.C. 103(a) as being unpatentable over *Richmond et al* (U.S. 5,873,518, hereafter `518).

8. Claims 13-17: `518 teaches a washing machine (fig. 1, thus a water bearing device) with magnetic valves for controlling the hot and cold water lines which is mounted the circuit board (col. 3, line 50-col. 4, line 10) with a sensor integrated with the valve components (fig. 3, part 72, col. 5, lines 15-42), with a microprocessor mounted on a circuit board (fig. 10, part 100, which is inherently a programable controller). `518 teaches that all the components are connected to an integrated circuit (fig. 10, col. 6, line 20-col. 7, line 35, where figure shows that the circuit, part 92 is one board with the components mounted there on), where the sensor has electrical connecting elements (fig. 6, part 78), and the valves have electrical connecting elements (fig. 2, parts 48 and 50). `518 does not explicitly teach that the valves are directly mounted to the circuit board. `518 teaches that the valves are electrically coupled to the circuit board (fig. 10, col. 7, lines 4-50). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to have mounted the valve structure with sensor to the circuit board in apparatus `518 to have reduce the need for coupling wire and connectors.

Claims 18-20 and 22-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Richmond et al (U.S. 5,873,518) as evidenced by Hengelein et al (U.S. pgpub 2004/0140677, hereafter `677).

`518 teaches all the limitations of claim 13.

9. Claims 18-20, 22 and 23: `518 teaches that all the components are connected to an integrated circuit (fig. 10, col. 6, line 20-col. 7, line 50), where the sensor has electrical connecting elements (fig. 6, part 78) and the valves have electrical connecting elements (fig. 2, parts 48 and 50). `518 does not teach how the elements are electrically coupled to the integrated circuit. The examiner takes official notices that there are many common means to connect elements to a circuit board and the board to the machine, for example, using wire connections, plugs, receiving ports for plugs, grouping elements to one port, where the circuit board itself can be plugged into contacts, as evidenced by `677 ([0021]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used different common means to connect the sensor and valves to the integrated circuit, and the circuit can be plugged into a operating position in the washing machine.

Claim 24 rejected under 35 U.S.C. 103(a) as being unpatentable over Richmond et al (U.S. 5,873,518) as evidenced by Hengelein et al (U.S. pgpub 2004/0140677, hereafter `677) as applied to claim 22 above, further in view of in view of Faunce (U.S. 6,319,015, hereafter `015) and Roese (U.S. pgpub. 2005/0106924, hereafter `924).

`518 teaches all the limitations of claim 22.

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10. Claim 23: See claims 1 and 18-22 above. '518 teaches that the valve and the sensor has multiple leads (fig. 2), as seen above common electrical couplers are plugs and receiving slots (see claims 18-22 above). '518 and the evidence '677 does not show using a spring snap fit to locate and lock the plug in place. '015 and '924 are both electrical connectors. '015 teaches using spring snap fit locators for the electrical contacts (fig. 1, parts 14). '924 teaches using spring snap fits on a plug (fig. 1, parts 6 and 7, [0021]) and that there are receiving elements located on the socket to receive the spring snap fit tabs ([0022]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have placed a spring snap fitting on the socket as taught by '015 and '924 and receiving ports for receiving the snap fits as taught by '924 in the coupling plugs of apparatus '518 as evidence by '677 to have yield the predictable result of proper placement of the plug in the socket when the spring snap fit falls within the receiving port.

Response to Arguments

11. Applicant's arguments filed December 29, 2008 have been fully considered but they are not persuasive.

12. Applicant is arguing that the prior art does not teach that the valves and the sensors are directly mounted to the circuit board. This is addressed in the above claim.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMUEL A. WALDBAUM whose telephone number is (571)270-1860. The examiner can normally be reached on M-TR 6:20-3:50, F 6:30-10:30 est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on 571-272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. A. W./
Examiner, Art Unit 1792

/FRANKIE L. STINSON/
Primary Examiner, Art Unit 1792